

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

(1) RANDY BLAKE PATTERSON,	)	
	)	
Plaintiff,	)	
v.	)	
	)	Case No. CIV-2015-1204-HE
(1) NATIONAL BOARD OF MEDICAL	)	
EXAMINERS,	)	
	)	
Defendant.	)	

**DEFENDANT’S NOTICE OF INTENTION TO  
REQUEST PRODUCTION OF DOCUMENTS FROM  
PEPPERDINE UNIVERSITY**

Pursuant to Fed.R.Civ.P. 45 and L.Cv.R. 45.1(a), Defendant, National Board of Medical Examiners (“NBME”), hereby gives Notice of its intent to serve the attached Subpoena, requesting the production of documents, on Pepperdine University,

DATE: June 15, 2016

Respectfully Submitted,

\_\_\_\_\_  
/s/ Amy L. Alden  
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Amy L. Alden, OBA No. 16978  
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*Attorneys for Defendant,*

*National Board of Medical Examiners*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 15<sup>th</sup> day of June, 2016, I electronically transmitted the attached document to the Clerk of the Court using the ECF System for filing. Based upon the records currently on file, the Clerk of the Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Steven E. Clark, OBA No. 1712  
Heather Mitchell, OBA No. 14035  
CLARK & MITCHELL, P.C.  
101 Park Avenue, Suite 210  
Oklahoma City, OK 73102  
Telephone: (405) 235-8488  
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*Attorneys for Plaintiff*

/s/ Amy L. Alden

# UNITED STATES DISTRICT COURT

for the

Western District of Oklahoma

(1) RANDY BLAKE PATTERSON

*Plaintiff*

(1) NATIONAL BOARD OF MEDICAL EXAMINERS,

*Defendant*

Civil Action No. CIV-2015-1204-HE

## SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To:

PEPPERDINE UNIVERSITY  
24255 Pacific Coast Highway, Malibu, CA 90263

*(Name of person to whom this subpoena is directed)*

☒ **Production:** **YOU ARE COMMANDED** to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material: SEE EXHIBIT A, attached hereto and incorporated herein by reference

Place: DCR Litigation Support, 2659 Townsgate Rd., Ste. 200,  
Westlake Village, CA 91361 OR to MILLER  
DOLLARHIDE, P.C., at the below address or emails

Date and Time:

07/06/2016 5:00 pm

☒ **Inspection of Premises:** **YOU ARE COMMANDED** to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 06/15/2016

CLERK OF COURT

OR

*Signature of Clerk or Deputy Clerk*

*Attorney's signature*

The name, address, e-mail address, and telephone number of the attorney representing *(name of party)* Defendant,  
National Board of Medical Examiners, who issues or requests this subpoena, are:  
Jack S. Dawson, Esq., Amy L. Alden, Esq., and Andrea R. Rust, Esq., 210 Park Avenue, Suite 2550, Oklahoma City,  
OK 73102 (405) 236-8541; jdawson@millerdollarhide.com; aalden@millerdollarhide.; arust@millerdollarhide.com

### Notice to the person who issues or requests this subpoena

A notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

**EXHIBIT A**

***I. Instructions and Definitions***

1. The terms “Pepperdine University”, “you”, and “your” shall mean Pepperdine University and any of its agents, representatives, employees and/or assigns.
2. The term “Plaintiff” or “Dr. Patterson” shall refer to Randy Blake Patterson, DOB 06/17/xxxx.
3. The terms “and” and “or” shall each refer to “and/or,” whichever use makes the request most inclusive.
4. The term “communication” shall mean any transmission of information from one person or persons to another person or persons, regardless of the medium by which such communication occurred, including by way of example, emails.
5. The term “document” or “documents” shall be construed in the most comprehensive and inclusive sense permitted by the Federal Rules of Civil Procedure and includes but is not limited to, every writing or record of every type and description that is in the possession, custody or control of you, including but not limited to correspondence (interoffice, intra-office or otherwise), communications, letters, memoranda, notices, confirmations, summaries or records of conversations, voice and sound recordings, films, electronic mail, computer data and any other form of electronic, magnetic, or computerized media, telephone recordings and transcriptions, photographs, notebooks, summaries or reports of physicians or consultants, pamphlets, notes from telephone conversations, agreements, reports, memoranda, studies, summaries, minutes, notes, instructions, manuals, any marginal comments or post-it notes appearing on any documents, and all other written, printed, computerized, computer-stored or maintained, or typed information of any nature whatsoever.
6. Included in the definition of “document” or “documents” as used herein are files, file folders, electronic files, electronic file folders, and any other computerized, computer-stored or maintained files or file folders. Accordingly, produce files and file folders together with the documents they contain.
7. The term “concerning,” “relating to,” “reflecting,” and “referring to” shall mean constituting, evidencing, mentioning, describing, pertaining to, responding to, used or relied upon in preparation of or in conjunction with, or being connected in any way, either directly or indirectly.
8. For purposes of these requests, the use of the singular shall be construed as the use of

the plural and *vice versa*; “any” includes “all” and *vice versa*; “each” includes “every” and *vice versa*; and the masculine includes the feminine and *vice versa*.

## ***II. Requests to Produce Documents***

1. Please produce copies of all documents submitted by Randy Blake Patterson or on his behalf to your school between January 1, 2005 and the present date, including but not limited to any and all applications for admission to Pepperdine University or applications to participate in undergraduate research programs.
2. Produce any student file(s) pertaining to Randy Blake Patterson from January 1, 2005 to the present date.
3. Produce all documents from January 1, 2005 to the present date pertaining to Randy Blake Patterson’s academic performance while a student at Pepperdine University, including but not limited to academic transcripts and performance evaluations.
4. Produce all disciplinary records from January 1, 2005 to the present date relating to Randy Blake Patterson, including but not limited to academic disciplinary records and disciplinary records relating to personal conduct.
5. Produce copies of all documents showing any degrees conferred upon Randy Blake Patterson by Pepperdine University from January 1, 2005 to the present date.
6. Produce all documents, if not covered by other categories of documents described herein, reflecting the level of distinction with which Randy Blake Patterson earned an academic degree from Pepperdine University from January 1, 2005 to the present date.
7. Produce all documents, including but not limited to performance evaluations or participant files, regarding any undergraduate research program in which Randy Blake Patterson participated from January 1, 2005 to the present date.